IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 407 of 2007

RAM RATAN

V/S

RAMESHWAR LAL @ KAMAL KISHORE & ORS.

Mr. SHYAM SINGH BHATI, for the appellant / petitioner

Date of Order : 9.3.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner, and perused the impugned order.

Learned trial court has found the application to be grossly belated as the fact sought to be impleaded is of the year 1992 while the application has been filed in the year 2006, and during all this period cross-examination to the plaintiff has been avoided.

Considering totality of circumstances, I am not inclined to interfere in the impugned order in my writ jurisdiction. The writ petition is, therefore, dismissed summarily. However, it will be open to the petitioner to assail the correctness, legality or propriety of the impugned order by setting forth appropriate ground in appeal, if necessity so arises, and if the petitioner so stands advised.

(N P GUPTA),J.

/sushil/